

**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA
EASTERN DIVISION**

TERAL SHERMAN,
Plaintiff,

V.

JAMES S. HILL, et al.,

Defendants.

Case No. 5:22-cv-01211-SSS-JDE

**ORDER ACCEPTING FINDINGS
AND RECOMMENDATION OF
UNITED STATES MAGISTRATE
JUDGE**

Pursuant to 28 U.S.C. § 636, the Court has reviewed the records on file, including the operative Complaint [Dkt. 1] filed by Teral Sherman (“Plaintiff”); the Order re Plaintiff’s Complaint issued by the assigned United States Magistrate Judge [Dkt. 6]; the Response filed by Plaintiff [Dkt. 8]; the Report and Recommendation issued by the assigned magistrate judge [Dkt. 11, “Report”]; and Plaintiff’s Objections to the Report [Dkt. 12]. The Court has engaged in a de novo review of those portions of the Report to which objections have been made and overrules Plaintiff’s objections. The Court thus accepts the findings and recommendation of the Magistrate Judge.

Therefore, **IT IS HEREBY ORDERED** that:

1. Plaintiff's official capacity claims are **DISMISSED WITH**

PREJUDICE;

2. Plaintiff's federal claims regarding the Second Rule Violation, as defined in the Report, are **DISMISSED WITHOUT PREJUDICE;**
3. Plaintiff's remaining federal claims are **DISMISSED WITH PREJUDICE;**
4. Plaintiff's state law claims are **DISMISSED WITHOUT PREJUDICE** to Plaintiff pursuing those claims in state court; and
5. Judgment shall be entered **DISMISSING** this action consistent with the foregoing.

IT IS SO ORDERED.

Dated: November 30, 2022



SUNSHINE S. SYKES
United States District Judge